

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN STEINER,

Plaintiff,

V.

G. STEVEN HAMMOND, SARA
SMITH, J. DAVID KENNEY,
WASHINGTON DEPARTMENT OF
CORRECTIONS,

Defendants.

No. C13-5120 RBL/KLS

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and **ORDER**:

- 1) The Court adopts the Report and Recommendation.
- 2) Plaintiff's motion to amend (ECF No. 19) is **GRANTED**. The Clerk is directed to docket the proposed amendment (ECF No. 19-1) as Plaintiff's Amended Complaint. Defendants' motion to dismiss (ECF No. 14) is **DENIED WITHOUT PREJUDICE**.
- 3) This matter is **re-referred** to the Honorable Karen L. Strombom, United States Magistrate Judge.
- 4) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendant and to the Hon. Karen L. Strombom.

DATED this 31st day of May, 2013.

Rob Feely

RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE